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SUBJECT: TURKEY: SCENESETTER FOR FBI DIRECTOR MUELLER

Classified By: Ambassador James Jeffrey, for reasons 1.4 (b,d)

Welcome

¶1. (C) The GOT will warmly welcome your November 18 visit as a further sign that Washington views Turkey as an important strategic partner. It will be seen as yet another indication of U.S. respect for Turkey's international role and domestic progress. Despite turmoil and unrest in its neighborhood, Turkey has remained an island of relative stability and a valuable, if complicated, NATO ally. Prime Minister Recep Tayyip Erdogan will meet with the President on December 7 in Washington and your visit will be an opportunity to raise important security issues before that agenda has been set.

Key Issues to Raise

¶2. (C) During your meetings with Deputy Prime Minister Cemil Cicek, Director General of the Turkish National Police (TNP) Oguz Koksak, and Minister of Justice Sadullah Ergin, I suggest you raise the following key issues:

-- Proposed New CT Structure. The Turkish government has been discussing a proposed new counterterrorism structure since last fall. Deputy Prime Minister Cicek accepted our invitation to visit Washington to discuss our own "lessons learned" but postponed his July visit at the last minute. (see para 4)

-- Changes to Turkish CT Laws. Turkish CT laws, amended in 2005, do not consider an attack outside Turkey or planned or committed in Turkey against non-Turkish governments to be a terrorist attack. We are looking for ways to get the Turks to amend this law. (see para 5)

-- High-level CT Dialogue. Turkey accepted in principle our proposal to begin a high-level interagency CT dialogue. We are now working on setting a date. (see para 7)

-- Information-sharing Initiatives. Last year we offered several information-sharing programs to the Turkish government but have not received responses, despite repeated follow-up inquiries. (see para 8)

-- Joint Law Enforcement Operations. We would like to propose the creation of a joint counterterrorism task force to share intelligence with the TNP in real time and

facilitate joint law enforcement operations against targets of mutual concern. (see para 9)

Watch Out For

13. (C) The Turkish National Police value past training and other instructional opportunities from the Bureau. Your interlocutors may seek assistance in new areas. One possibility is protection of nuclear facilities. (see para 10)

Counterterrorism Restructuring

14. (C) Mounting frustration at the Turkish military-led counterterrorism effort prompted extensive discussion late last year and led to the unveiling of a proposed new structure: a counterterrorism undersecretariat within the Ministry of the Interior (MOI). Contacts tell us the new organization will focus on two primary tasks: coordinating the GOT's "strategic messaging" to counter PKK propaganda efforts and improving intelligence sharing among entities with counterterrorism responsibilities. On intelligence sharing, few would dispute that intelligence remains badly stove-piped throughout Turkey's various security services. The new body would be tasked to improve communication among the services. Draft legislation on the new structure is now in legislative committee. Its details remain murky and some skeptics suggest bureaucratic resistance from the powerful military and the TNIO will stymie the initiative. We had hoped to influence the process during the planned July visit to Washington by Deputy Prime Minister Cicek, which was to focus on "lessons learned" during our own post-9/11 counterterrorism restructuring. Unfortunately, Cicek postponed the visit at the last minute, citing pressing domestic issues. You should encourage DPM Cicek to reschedule his visit at his earliest convenience.

Counterterrorism Legislation

15. (C) Turkey was one of the few states to define terrorism prior to September 11. Its main legal provisions are set forth in its 1991 anti-terrorism law, and a 2005 provision of the Turkish Criminal Code. However, under current Turkish law, only those individuals targeting Turks or the Turkish state can be prosecuted for terrorism. The Turks have maintained that the law, in conjunction with the 13 international conventions they have signed, allows for adequate prosecution of terrorism offenses planned or committed within Turkey yet targeted against non-Turkish governments. Our Resident Legal Advisor (RLA) disagrees with this assessment, and is examining possible ways to strengthen Turkey's CT legislation. In January 2009, the previous RLA hosted a successful study visit to Washington for a group of MOJ counterterrorism legislation experts. The current RLA has been meeting with MOJ officials to express his concerns about their terrorism laws.

16. (C) Separately, the looming Financial Action Task Force (FATF) review in February has generated renewed Turkish attention to the "definition issue." An interagency working group lead by MASAK (Turkey's FIU), and also including MFA, Justice and TNP, has been meeting to revise its definition of terrorism to meet FATF concerns. They have prepared a number of possible changes to the current law which would, among other things, bring UN counterterrorism finance (CTF) sanctions into Turkish law. They know it will be difficult to pass the required legislation by February. In the interim, they plan to institute new CTF implementation mechanisms to demonstrate they are moving in the right direction. You might remind your interlocutors that we remain concerned about the narrow focus of Turkey's terrorism law.

High-level CT Dialogue

¶7. (C) While the PKK dominates the CT agenda here, authorities are increasingly aware of threats from the Al Qaeda network and other groups and are receptive to broader bilateral cooperation. Our Combined Intelligence Fusion Cell (CIF-C) is a model of military-to-military intelligence cooperation that has resulted in crippling PKK operations in northern Iraq. Indeed, it is a model that the U.S. hopes to emulate on the Pakistan-Afghan border. We hope to expand this strong cooperation beyond PKK-related issues. During the November 2008 visit by DOS S/CT Coordinator Dailey, we proposed a broader high-level CT dialogue. After considerable delay, the Turks are now prepared to move ahead. The proposed CT dialogue could take place as early as early December on the margins of Prime Minister Erdogan's Washington visit. You should welcome the proposed dialogue and encourage broad interagency cooperation.

Information-sharing Initiatives

¶8. (C) Last year we offered several information-sharing programs to the GOT. We have been told by the MFA that the Turkish Government looks favorably on receiving TIP/PISCES and HSPD-6 systems from us, but is still determining what legislative framework must be established first. The GOT has yet to respond to a separate USG proposal to share terrorist biometric data. We hope you will encourage your interlocutors to give these proposals full and positive consideration.

Joint CT Operations

¶9. (C) We would like to encourage joint law enforcement investigative efforts between the TNP and FBI, particularly in counterterrorism matters. In particular, joint investigations on CT matters and creating a CT task force between the FBI and the TNP Intel Department to facilitate real time exchange of intelligence would further both countries' counterterrorism mission. The assignment of an Assistant Legal Attache in Ankara would support this effort. This effort would be similar to our CT effort in Denmark, and our criminal efforts in Bucharest, Budapest, and San Salvador.

Possible Request for Assistance

¶10. (C) Turkish officials value the law enforcement assistance we have provided in the past and they may take advantage of your visit to request more. One possible area is the protection of nuclear facilities. In 2008 Turkey solicited tenders for its first civilian nuclear power plant, a 4,000 MW facility. Largely because of lack of clarity in the tender specifications, particularly regarding liability, a Russian consortium was the only bidder. That bid is now being evaluated and a decision is expected any day. The new plant would not go online for at least eight years. In the interim, TNP officials have quietly approached us asking how the FBI manages intelligence as it relates to nuclear facilities. They may pursue this issue with you.

Background

¶11. (C) For many years, and particularly since the start of the Iraq war in 2003, our bilateral relationship was strained by the commonly held perception in Turkey that the United States was doing too little to help it with its primary security issue - the decades-long struggle against its Kurdish PKK insurgency. The US declared the PKK a foreign terrorist organization in 1997. President Bush's November 2007 decision to share actionable intelligence on the PKK in northern Iraq marked a major positive turning point for U.S.-Turkey relations. Turkey already provides vital support to operations in Iraq and Afghanistan through the Incirlik Cargo Hub. The primary point of tension in the relationship remains the annual debate in the U.S. Congress over the

Armenian genocide issue. President Obama, who supported resolutions in the past, alluded to the issue during his visit without using the word genocide. Although Turkey and Armenia have taken steps in the past three months to reestablish diplomatic relations, open their borders, and appoint a commission to examine "the events of 1915," these steps have not resulted in concrete action yet. On October 21, Senator Robert Menendez (R-NJ) introduced a Senate resolution to recognize the events as genocide.

¶12. (C) Turkey has worked hard under PM Erdogan to play a more active role in the region and to improve relations with its neighbors. Our own improved intelligence sharing against the PKK in northern Iraq helped facilitate better relations between Ankara, the Iraqi central government, and Iraqi Kurds. The Turks use their relations with Iran to press Teheran to abandon its nuclear weapons program and stop supporting terrorist groups. Likewise, we want the GOT to encourage Syria to do more against terrorist facilitators. We welcome Turkey's promised additional commitments in Afghanistan and its expressed willingness to play a larger role in "soft power" activities in Pakistan. We strongly support eventual full Turkish membership in the EU, believing this will anchor Turkey more firmly in the Western orbit.

¶13. (C) Domestically, the Turkish government is dominated by one party, the mildly Islamic Justice and Development Party (AKP), led by PM Erdogan. Although the party came out ahead in March 2009 local elections, their lead was smaller than expected and chastened somewhat the confident Mr. Erdogan. As hoped, the government has begun to tackle some of the sensitive issues that had been postponed, including freedom of expression and rights for ethnic and religious minorities through its "Democratic Opening" (formerly known as the "Kurdish Opening" and now also known as the "National Unity Project"). We strongly support this initiative as a sign of the health of Turkey's internal democratic process, although we are careful to avoid creating the impression that we helped to design or implement it, as government opposition parties have alleged. Turkey is by far the strongest democracy in the region. Still, efforts by the military in 2007 to pressure or even oust the Erdogan government worried many. The government's own more recent attacks on the media and apparent efforts to exploit investigations of alleged coup attempts by group(s) ("Ergenekon", and other conspiracies) associated with the military to attack AKP's political opponents have also raised concerns about the soundness of Turkey's democratic system.

¶14. (C) Part of the AKP's popularity since assuming power in 2002 stemmed from its economic success and strong growth rates. Turkey was slow to feel the effects of the global economic slowdown, and was hit hard on exports and jobs, but the situation has slightly improved recently. Official unemployment now stands at 13 percent, a drop of 2.5 percent over the past 6 months. The GOT has been in ongoing discussions with the IMF since its last stand-by arrangement matured in May 2008, but has not yet made a deal for a new SBA. Because of reforms it undertook after a financial crisis in 2001, the Turkish banking sector is strong and will play a leading role in jump starting an economic recovery.

Bilateral Cooperation -----

¶15. (C) We already enjoy a sound working relationship with the Turkish intelligence community which we also hope to strengthen. Our LEGATT has established a close relationship with the Turkish National Police (TNP); these ties were instrumental in bringing down an Al Qaeda cell here in January 2008. Our RLA is also working with the Ministry of Justice to enhance CT-related extradition cooperation with our EU partners.

¶16. (C) Our Regional CT Coordinator, together with the LEGATT, is supporting a TNP effort to establish a behavioral analysis (i.e., profiling) unit which will facilitate screening of potential terrorists. Separately, the LEGATT

and EXBIS are working with TNP to develop a credible WMD response capability. Last August, EXBIS provided radiation detection equipment and isotope identifiers to the TNP. LEGATT is also working with other TNP units with WMD responsibility to provide equipment and training.

117. (U) We look forward to your visit.

JEFFREY

"Visit Ankara's Classified Web Site at <http://www.intelink.sgov.gov/wiki/Portal:Turkey>"